

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

MICHAEL PAYETTE,

Plaintiff,

File No: 2:09-cv-279

v.

HON. ROBERT HOLMES BELL

JEFFREY BRIGGS,

Defendant.

/

**MEMORANDUM OPINION AND ORDER ADOPTING
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff Michael Payette filed this civil rights action against Defendant Jeffrey Briggs pursuant to 42 U.S.C. § 1983. On February 11, 2011, Magistrate Judge Timothy P. Greeley issued a Report and Recommendation (“R&R”), (Dkt. No. 19), recommending that Defendant’s motion for summary judgment (Dkt. No. 12) be granted and that this Court find no good-faith basis for an appeal. The R&R was duly served on the parties, no objections have been filed, and the deadline for doing so has expired. The Court has reviewed the matter and concludes that the R&R correctly analyzes the issues and makes a sound recommendation.

Accordingly,

IT IS HEREBY ORDERED that the February 11, 2011, R&R of the Magistrate Judge (Dkt. No. 19) is **APPROVED** and **ADOPTED** as the opinion of the Court.

IT IS FURTHER ORDERED that Defendant's motion for summary judgment (Dkt. No. 12) is **GRANTED**.

IT IS FURTHER CERTIFIED pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this action would not be in good faith.

Dated: March 1, 2011

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
UNITED STATES DISTRICT JUDGE